

Amendment No. 2 to SB0511

McNally
Signature of Sponsor

AMEND Senate Bill No. 511*

House Bill No. 1120

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1.

SECTION 1. Tennessee Code Annotated, Section 40-39-211, is amended by deleting subsection (d) and substituting instead the following:

(d)

(1) No sexual offender, as defined in § 40-39-202, or violent sexual offender, as defined in § 40-39-202, shall knowingly:

(A) Be upon or remain on the premises of any building or grounds of any public school, private or parochial school, licensed day care center, other child care facility, public park, playground, recreation center or public athletic field available for use by the general public in this state when the offender has reason to believe children under eighteen (18) years of age are present;

(B) Stand, sit idly, whether or not the offender is in a vehicle, or remain within one thousand feet (1,000') of the property line of, or any building owned or operated by, any public school, private or parochial school, licensed day care center, other child care facility, public park, playground, recreation center or public athletic field available for use by the general public in this state when children under eighteen (18) years of age are present, while not having a reason or relationship involving custody of or responsibility for a child or any other specific or legitimate reason for being there; or

(C) Be in any conveyance owned, leased or contracted by a school, licensed day care center, other child care facility, or recreation center to transport students to or from school, day care, child care, or a recreation center or any related activity thereof when children under eighteen (18) years of age are present in the conveyance.

(2) Subdivision (d)(1) shall not apply when the offender:

(A) Is a student in attendance at the school;

(B) Is attending a conference or other scheduled event or activity with school, day care, child care, park, playground, or recreation center officials as a parent or legal guardian of a child who is enrolled in the school, day care center, other child care center, park, playground or recreation center activity and is participating in the conference, event or activity;

(C) Resides at a state licensed or certified facility for incarceration, health or convalescent care; or

(D) Is dropping off or picking up a child or children and the person is the child or children's parent or legal guardian.

SECTION 2. This act shall take effect July 1, 2009, the public welfare requiring it.